

National Anti-Slavery Standard.

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National Anti-Slavery Standard.

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TO THE LEGISLATURE OF MASSACHUSETTS.

A MEMORIAL.

MOVED with fear lest the Legislature of Mass-

achusetts, under a misguided notion of expediency,

should unadvisedly ratify the pending Amendment

to the Constitution of the United States, and

evidently deprecating such an act as fraught with fu-

ture mischief, and as being wrong in itself, on ac-

count of the great injustice of the provision;

the second section respecting representation and the

elective franchise, toward one of the loyal states

that go to make up our American nationality;

your memorialists adopted, by a vote only left to them

of influencing your decision, by a resort to the peo-

ple's rights of memorial and remonstrance, in the

following terms:

I

In the first place your memorialists refer you

to the circumstances under which the pending

Amendment was agreed to in Congress. It was to-

ward the close of the most protracted and trying

session of Congress ever held, in the course of

which an extraordinary concurrence had been de-

reached between the Executive and Legislative Depart-

ments of the government. Weared with vexing

delays, and with the obstructions so persistently

interposed by the Executive to the course of busi-

ness, the House of Representatives, in the language

of its acknowledged leader, Hon. Thaddeus Ste-

vens, accepted "so imperfect a proposition as a

political concession, the only resort for mutual ho-

nesty. He did not intend to be satisfied with it.

But he was anxious for its adoption because he de-

sired speedy ratification. And for this, "in the hope"

as he expressed it, "of better things in future legisla-

tion, in enabling acts, or other preparatory mea-

sures," a great American Commoner was tempt-

ed to abandon the dream of his early life, that

when any fortunate chance should for a time break

up the foundation of our institutions, the people

freed from their traditional obligation, would de-

mand that there should no longer be any distinctions

tolerated in the Republic, save those which

arose from merit and conduct.

That demand, your memorialists remind you,

the loyal people of the North have since made, in

their overwhelming verdict of the bills, uttered

with an unmistakable clearness and unanimity,

little short of the enthusiasm manifested when

the nation sprang to arms on Fort Sumter.

So that it is generally conceded that if the Amend-

ment were now for the first time before Congress,

there is hardly a possibility of its adoption by that

body, but by the express will of the nation

and the schooling of events, in the direction of

liberty, fraternity, and equality.

II. Your memorialists further argue, that if the

ratification of the pending Amendment were now

to be acted upon by the people of Massachusetts

at large, with the light shed upon the question of

unrestricted suffrage and representation since the

action of Congress; and with the knowledge ob-

tained of the temper and purpose of the South to

ward the black freedmen and white loyalists, there

is not the slightest probability of their being a

popular verdict in its favor. Your memorialists,

therefore, ask, in all seriousness, if it is right for

the Legislature of Massachusetts now to ignore

nine months teaching of events in favor of a con-

stitutional guarantee of impartial suffrage, and

against any plan of settlement or reconstruction

that leaves the civil or political rights of the freed-

men, in any State, subject to the federal legislation

of such State. But by the 2d section of the

proposed Amendment it is put in the power of what

were once the Southern States, and may soon be

again the Southern States, but Territories now, to refuse the

black man the right to vote. If this Amendment

prevail, and those States still fail to take up with a

diminished representation in Congress, they may

forever be politically disfranchised by the black

man, the protagonist of the South, all special

legislation by Congress in the shape of "enabling

acts" or other "prospective measures," to the con-

trary notwithstanding. And such is the Southern

habit of black men as freemen, and as having es-

cured by their auxiliary valor the success of North-

ern arms in the dreary war of peace, it is almost a

moral certainty (as facts, indeed, already prove) that

they will prefer to come back into the Union with

a diminution, by some twenty members, in their

Congressional representation, rather than to en-

franchise any considerable number of the subject

race which they have so long oppressed, and which

they will still be able to hold in servitude, if this

Amendment prevail.

III. Your memorialists further argue that the

provident Governor of nations, who rule the

world in righteousness, now gives a legitimate op-

portunity to the Legislature of the State to keep

the confused and self-contradictory legislation of

Congress, of expediency and fear, from being in-

incorporated with our revered Constitution. And

such an opportunity be given away? Shall

what is called by a play of words "the preliminary

action" of a vote of the Congress be given away

that half a year ago bind Massachusetts, partic-

ularly to the ratification of an article in the Repub-

lican programme, which the country has confessedly

outgrown? And shall we now lose the proud pre-

eminence given to our State, through the adminis-

trative wisdom, energy, patriotism, liberality, and

radicalism of the four years? For freedom by a

misguided concurrence on grounds of expedi-

ency, with a measure of conservatism which has

become antiquated by events? Shall the well-

earned honor of our Commonwealth now be

denied by a vote of its Legislature to admit into

the Federal Constitution a clause which allows the

sovereign American right of representation, and the

elective franchise to be withheld from whole races

of loyal citizens, at the pleasure of semi-barbarous

States? The conscientious intelligence, the pa-

triotism, the religion of Massachusetts answers no.

And in the interest of all the people, we solemnly

proclaim the Legislature to pause and beware of such a fatal step.

IV. Your memorialists finally refer you for an

additional argument against the proposed Amend-

ment, to the instructive history of the amendments

hitherto made to the Federal Constitution, and in

the securing of which Massachusetts had a promi-

nent part in the person especially of her illustrious

patriot, Samuel Adams. All those amendments, as

in that which provides that no State shall de-

privilege or deny a person within its borders the

equal protection of life, liberty, or property without due

process of law, so it should be in this con-

process of law, down to that which in our day has

interest of impartial freedom, have been in the

amendment for the enlargement of the

infallible security of the rights of the people. The

Amendment proposed was on the contrary, by

the unavoidable construction of the second section,

allow the denial of the protection in right of repre-

sentation and the franchise to no right of the people

than that of the whole population of the Union was

at the time of the adoption of the Federal Constitu-

tion. This fact alone, it seems to your memorialists,

that the proposed Amendment will be of

no avail to the people, but against them, should

secure its rejection by a State so historically jealous

of liberty as the Commonwealth of Massachusetts.

V. We ask leave finally to fortify this memorial

by an extract from the argument of a member of the

Legislature of a sister State - "If you ratify

this Amendment, it will be in the name compre-

hending spirit which has been so prolific of evil in

the history of the United States, and

evidently deprecating such an act as fraught with fu-

ture mischief, and as being wrong in itself, on ac-

count of the great injustice of the provision;

the second section respecting representation and the

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are written.

Moved with fear lest the Legislature of Mass-

achusetts, under a misguided notion of expediency,

should unadvisedly ratify the proposed Amend-

ment, and as the pending bill was to be voted on

in the House of Representatives, the House of

Representatives, in the language of its acknowledged

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